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Court Appointed Counsel for Defendant Benjamin Cottman

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA

Plaintiff,

vs.

BENJAMIN COTTMAN,

Defendant.

Case No.: 2:18-cr-00129-JCM-DJA

**DEFENDANT BENJAMIN
COTTMAN'S MOTION FOR LEAVE
TO FILE UNDER SEAL
DEFENDANT'S THIRD
SUPPLEMENT TO MOTION FOR
DETERMINATION OF MENTAL
COMPETENCY PURSUANT TO 18
U.S.C. § 4241(A) AND REQUEST FOR
MENTAL HEALTH AND/OR
PSYCHOLOGICAL EVALUATION
[ECF NO. 163] AND RESPONSE TO
GOVERNMENT'S SUPPLEMENT
[ECF NO. 192]**

Defendant, Benjamin Cottman, by and through court-appointed counsel, Kevin R. Stolworthy, Esq., hereby requests leave to file under seal his Third Supplement to Motion for Determination of Mental Competency Pursuant to 18 U.S.C. § 4241(A) and Request for Mental Health and/or Psychological Evaluation [ECF No. 163] and Response to Government's Supplement [ECF No., 192] and its exhibit ("Third Supplement"), which is being filed concurrent herewith. The Third Supplement, along with its Exhibit "A" which is the supplemental competency report authored by Sunshine Collins, PsyD, contains and refers to Mr. Cottman's personal medical information and competency assessment, including diagnosis, evaluation, and treatment information. Because of the private nature of medical information, Mr. Cottman has an interest in maintaining the privacy of his personal medical information.

1 Accordingly, in order to maintain the confidentiality of the private medical information
2 contained in the Third Supplement and its Exhibit "A," Mr. Cottman hereby requests that the Court
3 grant leave to file the Third Supplement and Exhibit "A" under seal.

4 As demonstrated on the Certificate of Service accompanying the Third Supplement, a copy of
5 the Third Supplement (and its Exhibit "A") was emailed to the Government's counsel, AUSA Allison
6 Reese, Esq., concurrent with its filing under seal.

7
8 Dated this 7th day of September, 2021. ARMSTRONG TEASDALE LLP

9 By: /s/ Kevin R. Stolworthy
10 KEVIN R. STOLWORTHY, ESQ.
11 Nevada Bar No. 2798
12 3770 Howard Hughes Parkway, Suite 200
13 Las Vegas, Nevada 89169

14 *Court-appointed Counsel for Defendant Benjamin*
15 *Cottman*

16 **IT IS SO ORDERED.**

17 DATED: September 8, 2021

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20 Daniel J. Albregts
21 United States Magistrate Judge
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CERTIFICATE OF SERVICE

Pursuant to Fed.R.Crim.P. 49(e), and Section IV of District of Nevada Electronic Filing Procedures, I certify that I am an employee of ARMSTRONG TEASDALE LLP, and that the foregoing was served:

☒ via electronic service to the address(es) shown below:

Telia U. Williams teliauwilliams@telialaw.com, billthomas@telialaw.com,
davidasilva@telialaw.com

Allison Reese Allison.Reese@usdoj.gov, CaseView.ECF@usdoj.gov,
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Kevin Douglas Schiff kevin.schiff@usdoj.gov, caseview.ecf@usdoj.gov,
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☐ via the U.S. Postal Service at Las Vegas, Nevada, in a sealed envelope, with first-class postage prepaid, on the date and to the address(es) shown below:

Date: September 7, 2021

/s/ Christie Rehfeld

An employee of Armstrong Teasdale LLP